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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,286	08/15/2001	Tadamasa Yamanaka	Q65836	8103

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EXAMINER

LA, ANH V

ART UNIT PAPER NUMBER

2636

DATE MAILED: 03/22/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,286

Applicant(s)

YAMANAKA ET AL.

Examiner

Anh V La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 7-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1, 4-6, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mansell in view of Eslaminovin.

Regarding claims 1, and 17, Mansell discloses an anti-theft system for vehicles comprising a vehicle registration system having a plurality of communication channels respectively assigned to subscriber IDs (mobile units) (see figure 15), vehicle-theft notifying devices (mobile units) each for notifying that a vehicle has been stolen, an anti-theft service center for receiving a notice from one of the vehicle-theft notifying devices and for sending a theft signal through one of the communication channels corresponding to the subscriber ID of the one of the vehicle-theft notifying devices to the stolen vehicle in response to the notice and reporting theft of the stolen vehicle to authorities (column 22, lines 35-44). Mansell does not clearly teach an anti-theft apparatus mounted on the vehicle for inhibiting an engine of the vehicle from restarting in response to reception of the theft signal. Eslaminovin teaches the use of an anti-theft apparatus 18 or control circuit 18 mounted on the vehicle for inhibiting an engine of the vehicle. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an anti-theft apparatus mounted on the vehicle

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to the system of Mansell as taught by Eslaminovin for the purpose of inhibiting an engine of the vehicle from restarting in response to reception of the theft .

Regarding claim 4, Eslaminovin discloses an audio and visual warning 20, 22 to a driver of the vehicle to stop the vehicle.

Regarding claim 5, Mansell further discloses present-location detecting means 120 (abstract).

Regarding claim 6, Mansell discloses the vehicle-theft reporting means being a cellular phone (mobile units).

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mansell in view of Eslaminovin as applied to claim 1 above, and further in view of Gilmore.

Regarding claim 2, Mansell in view of Eslaminovin discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the anti-theft apparatus inhibiting the engine of the vehicle from restarting in response to reception of the theft signal only when the vehicle is stopped. Gilmore teaches the use of an anti-theft apparatus inhibiting an engine of a vehicle from restarting in response to reception of a theft signal only when the vehicle is stopped (column 3, lines 1-30, col. 5, lines 1-33). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the anti-theft apparatus inhibiting the engine of the vehicle from restarting in response to reception of the theft signal only when the

vehicle is stopped to the system of Mansell (modified by Eslaminovin) as taught by Gilmore for the purpose of providing a safe stop for the vehicle.

Regarding claim 3, Mansell in view of Eslaminovin discloses all the claimed subject matter as set forth above in the rejection of claim 1, and further discloses the anti-theft apparatus blinking lights 20 of the vehicle, but does not disclose continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion. Gilmore teaches the use of an anti-theft apparatus continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion (column 3, lines 1-30, col. 5, lines 1-33). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the anti-theft apparatus continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion to the system of Mansell as modified by Eslaminovin as taught by Gilmore for the purpose of attracting attention of any local population.

Answers to Remarks

4. Applicant's arguments filed on December 29, 2003 have been fully considered.

Applicant's arguments with respect to claims 1-6 and 17 have been considered but are moot in view of the new ground(s) of rejection.

THIS ACTION IS MADE NON-FINAL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V La whose telephone number is (703) 305-3967. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (703) 305-4717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
March 01, 2004